

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

INTERNATIONAL CODE COUNCIL, INC.,

Plaintiff,

v.

UPCODES, INC.;  
GARRETT REYNOLDS; and  
SCOTT REYNOLDS,

Defendants.

Civil Action No.: 1:17-cv-6261-VM-DCF

INTERNATIONAL CODE COUNCIL, INC.,

Plaintiff,

v.

UPCODES, INC.;  
GARRETT REYNOLDS; and  
SCOTT REYNOLDS,

Defendants.

Civil Action No.: 1:20-cv-4316-VM-DCF

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**NOTICE OF APPEAL**

Notice is hereby given that Plaintiff International Code Council, Inc. (“ICC”) hereby appeals to the United States Court of Appeals for the Second Circuit from the final judgment and order entered on March 1, 2021, which construed a pre-motion letter filed by Defendants UpCodes, Inc., Garrett Reynolds, and Scott Reynolds as a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6) and granted full dismissal of ICC’s false advertising action, Case No. 20-cv-4316, denying all relief in that action. *See* March 1, 2021 Order, entered as docket entry no. 113 in Case No. 17-cv-6261 and docket entry no. 14 in Case No. 20-cv-4316.

Dated: March 30, 2021

MORGAN, LEWIS & BOCKIUS LLP

/s/ J. Kevin Fee

J. Kevin Fee

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 30, 2021, the foregoing Notice of Appeal was filed with the clerk of this Court and served on counsel of record *via* email, including:

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